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6                   UNITED STATES DISTRICT COURT  
7                   WESTERN DISTRICT OF WASHINGTON  
8                   AT SEATTLE

9                   UNITED STATES OF AMERICA,  
10                   Plaintiff,  
11                   v.  
12                   MATTHEW JASON GRIFFIN,  
13                   Defendant.

Case No. 2:19-CR-042-RSL

ORDER GRANTING  
AGREED MOTION TO  
CONTINUE TRIAL DATE  
AND PRETRIAL MOTIONS  
DEADLINE

15                  This matter comes before the Court on defendant Matthew Griffin's "Agreed Motion to  
16 Continue Trial Date and Pretrial Motions Deadline." Dkt. #17. Having considered the facts set  
17 forth in the motion, and defendant's knowing and voluntary waiver, the Court finds as follows:

19                  1.       The Court adopts the facts set forth in the unopposed motion; specifically, that  
20 defense counsel was notified on March 27, 2019 that the government plans to supersede its  
21 indictment with two additional charges, that the government and defense counsel have multiple  
22 trials scheduled in this year, and defense counsel needs additional time to review discovery. The  
23 Court accordingly finds that a failure to grant a continuance would deny counsel, and any  
24 potential future counsel, the reasonable time necessary for effective preparation, taking into  
25 account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(iv).

27                  2.       The Court finds that a failure to grant a continuance would likely result in a  
28 miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).

ORDER GRANTING AGREED MOTION TO CONTINUE  
TRIAL DATE AND PRETRIAL MOTIONS DEADLINE - 1

3. The Court finds that the additional time requested between May 6, 2019, and the proposed trial date of January 13, 2020 is a reasonable period of delay, as defense counsel needs additional time to review discovery. The Court finds that this additional time is necessary to provide defense counsel reasonable time to prepare for trial, considering all the facts set forth above.

4. The Court further finds that this continuance would serve the ends of justice, and that these factors outweigh the best interests of the public and defendant in a speedier trial, within the meaning of 18 U.S.C. § 3161(H)(7)(A).

5. Defendant has signed a waiver indicating that he has been advised of his right to a speedy trial and that, after consulting with counsel, he has knowingly and voluntarily waived that right and consented to the continuation of his trial to a date up to and including March 1, 2020, Dkt. #18, which will permit trial to start on January 13, 2020, per defense counsel's request.

IT IS HEREBY ORDERED that the trial date be continued from May 6, 2019 to January 13, 2020.

IT IS FURTHER ORDERED that the pretrial motions cutoff date be continued to December 5, 2019.

IT IS FURTHER ORDERED that the period of time from the current trial date of May 6, 2019, up to and including March 1, 2020, shall be excludable time pursuant to the 18 U.S.C. § 3161, *et seq.* The period of delay attributable to this filing and granting of this motion is excluded for speedy trial purposes pursuant to 18 U.S.C. §§ 3161(h)(1)(D), (h)(7)(A), and (h)(7)(B).

DATED this 5<sup>th</sup> day of April, 2019.

Mrs Casnik

Robert S. Lasnik  
United States District Judge